



## PROBATION AND PAROLE BUREAU STANDARD OPERATING PROCEDURES

Procedure No.: P&P 80-1	Subject: <b>TRAVEL PERMITS / IN-STATE &amp; OUT-OF-STATE</b>
Reference: <a href="#">46-23-1011</a> , <a href="#">1021</a> , <a href="#">1023</a> , and <a href="#">1115</a> MCA	Page 1 of 5
Effective Date: 06/01/00	Revision Dates: 07/02/01; 09/10/02; 03/06/04; 03/01/05; 08/01/05; 10/27/06; 08/20/07; 04/22/08; 03/02/09
Signature / Title: /s/ Ron Alsbury	

### I. BUREAU DIRECTIVE:

Probation & Parole Bureau employees will follow established procedures for authorizing in-state and out-of-state travel for offenders.

### II. DEFINITIONS:

Extension – A travel permit granting the offender additional travel time beyond the original return date on the permit.

Provisional Travel Permit – An in-state or out-of-state travel permit granting permission for an offender to travel to another state or district with the intent to transfer supervision through the Interstate Compact or the Probation & Parole Bureau (Bureau).

Temporary Travel Permit – An in-state or out-of-state travel permit for the purpose of employment, personal business, education, or treatment. This permit is for offenders who plan to return to the state of Montana or their assigned district.

### III. PROCEDURES:

Most offenders under the supervision of the Bureau must have a temporary or provisional travel permit to travel outside their designated travel district or the state of Montana.

#### PROCEDURE:

1. Travel Permit Form *P&P 80-1(A)* completed.
2. All information on travel permit is reviewed for accuracy and completeness:
  - a. Probation & Parole Officer (Officer) reviews chronologicals, file materials and court order or Board of Pardons and Parole (BOPP) conditions.
  - b. Officers may approve travel permits consistent with the offender's supervision level:
    - Level I supervision offender is limited to a maximum of seven (7) days.

#### RESPONSIBILITY:

P&P Officer/Offender

P&P Officer

P&P Officer

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- Level II supervision offender is limited to a maximum of fifteen (15) days.
- Level III supervision offender is limited to a maximum of thirty (30) days.
- Level IV offender is limited to ninety (90) days.
- Level V offender is limited to a maximum of one hundred and eighty (180) days.
- Level VI offender (CDFS) is unrestricted in in-state travel. Out-of-state is limited to one hundred and eighty (180) days unless otherwise limited by court order or BOPP conditions and offender is not permanently relocating to another state. (See *P&P 60-3 Conditional Discharge from Supervision/Termination of Deferred and Suspended Sentences.*)

- c. Offenders classified risk level I, II, III, or those who possess special conditions restricting travel, should have a written temporary or provisional travel permit for in-state travel outside their designated travel district. A written permit will be required for all out-of-state travel.

P&P Officer/Offender

Verbal travel permits may be granted for up to 48 hours for in-state travel only. All pertinent travel details must be documented in the *Adult Chronological History*.

Offenders classified risk level IV, V & VI may travel in-state without a travel permit. However, offenders classified Level IV or V who will be outside of their travel district within Montana for longer than 30 days must gain written or verbal approval from the assigned Officer.

P&P Officer/Offender

- d. When an offender's employment requires travel to and from several states, the Officer will verify the need for the offender to work out-of-state.

P&P Officer

- e. If the offender is employed as a "long haul" truck driver, the Officer is to verify the offender's whereabouts by contacting the employer or the trucking company's "dispatcher," or by other means in the instance of a self employed truck driver. Offenders will report by telephone according to their supervision level.

P&P Officer/Offender

- f. Offenders will not be granted travel to Alaska for the purpose of employment in a "remote" area, including commercial fishing.

P&P Officer

- g. **Registered sexual or violent offenders** requesting a travel permit shall be approved or denied after the Officer has reviewed the following:

P&P Officer

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- The sexual offender's tier designation and Risk and Needs Assessment;
- The offender's compliance with sexual offender treatment program;
- The offender's compliance with registration laws;
- The *Adult Chronological History* for compliance with supervision rules and conditions, court ordered sanctions, restitution, etc.; and
- The offender's employment and residence.

If the permit is denied, the offender will be given the reasons for the denial. All out-of-state travel for sexual/violent offenders will be staffed with and approved by a Probation & Parole Officer II (POII) or Regional Administrator (RA).

P&P Officer  
RA or POII

- h. An IPPO will complete a travel permit for all offenders leaving a facility under the following conditions, with the exception of offenders discharging their sentences completely:
- Offenders discharging to suspended sentences
  - Offenders paroling
  - Offenders being released to conditional release status
  - Offenders placed on furlough
  - Offenders going to Prerelease (Use *P&P 80-1(B) Pre-Release Travel permit*)/ISP or other Community Corrections Program
  - Offenders going to any type of treatment program (Use *P&P 80-1(C) Travel Permit for Treatment*)

IPPO

3. **Out of state travel:** A written permit will be required for all out-of-state travel.

- a. Offenders traveling out-of-state may be subject to specific reporting instructions given by the out-of-state Interstate Compact Office, i.e. provisional travel permit.
- b. If a temporary out-of-state travel permit is allowed for employment, education, or treatment, verification must be made by contacting the employer, school, or treatment agency. Verification is up to the Officer's discretion for one day travel for medical or other treatment, job seeking, training, etc. Officers will verify permanent employment or other long term approved out-of-state activities when the offender travels out of Montana and returns daily. The temporary travel permits and the verifications in these situations will be within the time period of the offender's level designation.
- c. Out-of-state travel permits for vacation purposes for Level I, II, and III supervision offenders will include a specific address where the

OOS Interstate Office

P&P Officer

P&P Officer

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offender may be located. Officers should use discretion in verifying and approving the travel itinerary, travel companions, and destination. These decisions will be based on the nature of the proposed vacation and the offender's level and supervision history.

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| <p>d. Offenders on conditional release status may be allowed to travel out-of-state for emergencies and work only. Offenders will not be allowed to travel out-of-state for vacations, weddings, etc. All out-of-state travel will be staffed with the RA or POII for approval. (See <i>P&amp;P 150-6 Conditional Release</i>.)</p> <p>e. Offenders on CDFS shall not be allowed to reside out-of-state without discussion or direction from the Montana (MT) Interstate Unit. The Deputy Compact Administrator will then determine whether an interstate application is necessary.</p>   | <p>P&amp;P Officer</p> <p>RA or POII</p> <p>P&amp;P Officer</p> <p>MT Interstate Unit</p>                     |
| <p>4. Specific instructions indicating when offender is to report to supervising officer are provided to offender. Offender should initial both the <i>reporting instructions</i> and <i>return date</i> on the travel permit.</p> <p>Officer shall request reporting instructions from receiving state or receiving Montana Officer before a "provisional" travel permit is issued to an offender for the purpose of relocating to another state or district for continued supervision. The offender does not have to continue to contact the assigned Officer if reporting instructions are given by the receiving state or in-state Officer unless specifically instructed to do so pending acceptance in the receiving state or district. If the offender requests to return to the state of Montana for supervision, the Deputy Compact Administrator or designee will provide reporting instructions.</p> | <p>P&amp;P Officer/Offender</p> <p>P&amp;P Officer/Offender</p> <p>Deputy Compact Adm.</p>                    |
| <p>5. <b>Out of country travel:</b></p> <p>Offenders requesting to travel outside of the United States must be directed to the Deputy Compact Administrator/Probation &amp; Parole (P&amp;P) Bureau Chief. It will then be determined whether further approval by the sentencing court for probationers, or the BOPP for parolees, is necessary.</p> <p>Officers will then need to submit the travel permits and itinerary to the Deputy Compact Administrator. If the travel is required because of military duty, a copy of the military orders should also be included.</p>  | <p>P&amp;P Officer/Offender</p> <p>Deputy Compact Adm.</p> <p>P&amp;P Bureau Chief</p> <p>P&amp;P Officer</p> |
| <p>6. Travel permit is authorized and signed and offender given copy. In-state receiving Officer informed of travel authorization and permit is sent to the receiving field office/Officer or Administrative Support by fax or email. One copy of provisional out-of-state permit is sent to the MT</p>   | <p>P&amp;P Officer</p>  |

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Interstate Unit for transfer cases only. The MT Interstate Unit will also receive one copy of temporary travel permits on sexual or violent offenders leaving the state.

#### 7. Travel Permit Extensions:

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|--|------------------------------------|
| a. Extensions for Level I, II, and III supervision offenders for a period twice the length of their supervision level are requested through the RA or POII.  | P&P Officer/Offender<br>RA or POII |
| b. The P&P Bureau Chief is responsible for approving or disapproving extensions beyond the RAs or POIIs authority. Supervision standards and telephone contacts are continued until the offender returns to the state and then return reporting instructions must be followed.         | P&P Bureau Chief                   |
| c. Interstate Compact offender extensions are requested through the Deputy Compact Administrator. Officer shall request reporting instructions from receiving state when issuing provisional travel permit. One copy of out-of-state permit extension sent to, the MT Interstate Unit. | P&P Officer                        |
| 8. Travel permits and verification of extensions are filed in field file. Verbally authorized in-state travel or extension information is documented in the <i>Adult Chronological History</i> .   | P&P Officer                        |
| 9. If the offender is <b>transferring</b> to another district, copies of in-state travel permit and reporting instructions are forwarded to the receiving field office. They may be faxed or emailed to the Officer or Administrative Support staff for distribution in the office.    | P&P Officer                        |
| 10. Probationary status Officers must review requests for out-of-state travel permits with the RA or POII prior to approval. A copy of <u>all</u> out-of-state travel permits are given to the RA.   | Probationary Status<br>P&P Officer |

#### IV. CLOSING

Questions concerning this procedure shall be directed to the Deputy Compact Administrator and/or P&P Bureau Chief.

##### Form

P&P 80-1(A)	Travel Permit
P&P 80-1(B)	Pre-Release Travel Permit
P&P 80-1(C)	Travel Permit for Treatment